

REMARKS

In response to the Final Office Action dated February 20, 2007, claims 1, 4, and 16 are amended. Claims 3 and 7 were previously cancelled. Claims 1, 2, 4-6, and 8-17 are active. No new matter has been added.

Claims 4 and 16 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant has amended claims 4 and 16 according to the Examiner's suggestions. Thus, Applicant respectfully submits that this rejection has been overcome by amendment.

Claims 1, 2, 4-13, 16, and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Wildentrath (GB 1326665) in view of Numata (US 2002/0015145). Please note that claim 7 was previously cancelled, hence the rejection of claim 7 appears moot.

Claim 14 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wildentrath (GB 1326665) in view of Numata (US 2002/0015145) and Takarida (EP 0668576).

Claim 15 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Wildentrath (GB 1326665) in view of Numata (US 2002/0015145) and Takarida (EP 0668576) and Lieu (US 6407810).

Applicant respectfully traverses these rejections.

Independent claim 1 recites, in pertinent part, "wherein said discrimination module determines the paper as genuine, when at least a predetermined rate of the observed intensity of the simultaneously transmitted light of ultraviolet radiation at the multiple different positions is included in the allowable range." As recited, the measurement module measures simultaneously transmitted light at a number of different positions on the paper.

In order to establish *prima facie* obviousness under 35 U.S.C. § 103(a), all the claim limitations must be taught or suggested by the prior art. *In re Rokya*, 490 F. 2d 981, 180 USPQ

580 (CCPA 1974). At a minimum, the cited prior art does not disclose (expressly or inherently) the above noted limitation.

The Office Action, at page 3, admits that Wildenrath does not disclose determination based on measurements at different positions on the paper. The Office Action, at page 3, asserts that Numata discloses the limitation by teaching a pattern storage unit (20) for determining the genuineness of the note in accordance with a plurality of wavelengths inputted into the processor.

However, Numata, at paragraph [0005] merely states:

[0005] In the bank note processing machine disclosed in the above-cited publication, as shown in FIG. 1, a red LED array 102a and an infrared LED (Light Emitting Diode) array 102b are disposed in parallel to form a light source on one side of a transport path of a bank note 100, and a linear image sensor as a light receiving section 101 is formed on the other side opposite thereto to sandwich the same path. The red LED array 102a and infrared LED array 102b have a length that is substantially equal to the width of the bank note 100 passing by them. The output of the light receiving section 101 is inputted to a bank note genuineness/falsehood discrimination process section 104 to discriminate the genuineness/falsehood of the bank note 100. The reason for the use of **the light source having a plurality of wavelengths** is that there is a difference between the wavelengths of beams of light transmitted by a genuine bank note and a counterfeit bank note that is a color copy and the genuineness/falsehood can be **determined based on the a difference between ratios of transmittance**. [Emphasis added]

Hence, Numata uses multiple wavelengths, and calculates the **ratios of transmittance for the plurality of wavelengths**. In contrast to Numata, the recited apparatus of independent claim 1 determines the paper as genuine when at least a predetermined rate of the observed **intensity of the simultaneously transmitted light of ultraviolet radiation at the multiple different positions** is included in the allowable range. Such a determination based on observance of intensity at multiple different positions on the paper is not taught by Numata and therefore does not result from the combination of Wildenrath and Numata.

Thus, Applicant respectfully submits that independent claim 1 is patentable over Widenrath and Numata.

Further, Applicant respectfully submits that the other cited art (Takarida and Lieu) does not obviate the deficiencies of Widenrath and Numata.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as independent claim 1 is patentable for the reasons set forth above, it is respectfully submitted that all claims dependent thereon are also patentable.

Thus, it is respectfully submitted that dependent claims 2, 4-6, and 8-15 are also patentable for at least the same reasons as independent claim 1.

Independent claim 16 recites, in pertinent part, “discrimination step determines the paper as genuine, when at least a predetermined rate of the observed intensity of the simultaneously transmitted light of ultraviolet radiation at the multiple different positions is included in the allowable range.” The proposed combination, particularly Numata, does not disclose such a discrimination, as discussed above with respect to independent claim.

Applicant respectfully submits that independent claim 16 is patentable over the art.

As stated above, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims.

Thus, Applicant respectfully submits that dependent claim 17 is patentable for at least the same reasons as independent claim 16.

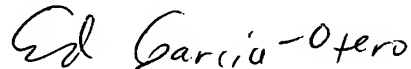
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Accordingly, it is urged that the application, as now amended, is in condition for allowance, an indication of which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, Examiner is requested to call Applicants' attorney at the telephone number shown below.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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